

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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Attorneys for Defendants  
World Savings Bank, FSB

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

LETICIA ZAMORA and DANIEL PEREZ and  
ELIZABETH PEREZ,

Plaintiffs,

vs.

WACHOVIA CORPORATION and WORLD  
SAVINGS BANK,

Defendants.

No.: C 07 4603 JSW

**JOINT CONTINUED CASE  
MANAGEMENT CONFERENCE  
STATEMENT AND UPDATED STATUS  
REPORT**

Continued Case Management Conference  
Date : June 20, 2008  
Time: 1:30 p.m.  
Place: Ctrm. 2

The Honorable Jeffrey S. White

The parties, by and through their respective counsel of record, have conducted good faith meet and confer conferences for the purpose of discussing the issues addressed in Federal Rule of Civil Procedure 16, Civil Local Rule 16-10(d), and this Court's February 4, 2008 Case Management Conference Order.

Counsel hereby respectfully submit the following Joint Case Management Conference Statement and Status Report reflecting progress and changes since the parties' last Joint Case Management Conference Statement, filed January 25, 2008, and making proposals for the remainder of the case development process. The parties are currently engaged in mediation and seek an extension of the previously established pre-trial deadlines. An extension will allow the parties to continue in the mediation process.

### **1. Settlement and ADR Status.**

On May 13, 2008, the parties mediated this matter before Judge Edward A. Infante (Ret.) of JAMS. While a resolution of this matter was not reached during the May mediation, the parties made meaningful progress toward settlement and, under the guidance of Judge Infante, identified specific issues and matters on which the parties agreed to focus in order to engage in meaningful further discussions. The parties have agreed to continue mediation on September 15, 2008 before Judge Infante.

The parties have agreed that in order to concentrate on this further mediation session, they will require approximately ninety (90) days so as to allow adequate time to complete exchanges of specific information and data, and the results of planned work product analyzing this material, and so as to allow the parties and their counsel time to review their respective analyses, before continued settlement discussions. The parties agree that a 90 day time-frame is reasonable given the volume of data sought and the complexity of the analysis of that data that will need to be performed.

### **2. Scheduling.**

Pursuant to this Court's February 4, 2008 Order, plaintiffs' motion for class certification is currently set for hearing on February 13, 2009, fact discovery is scheduled to close in June of 2009, expert discovery is scheduled to close in August of 2009, and dispositive motions are set to be heard on December 4, 2009, with a further case management conference thereafter. The complete original

1 schedule of pre-trial dates as set forth in this Court's February 4, 2008 Order is attached hereto as  
2 Exhibit A.

3  
4 The parties respectfully request that this Court continue all of these pre-trial deadlines for  
5 approximately 90 days, setting a revised pre-trial schedule as set forth in the table below. Good  
6 cause exists to continue the pre-trial schedule because continuation of the schedule for  
7 approximately 90 days will enable the parties to continue to pursue resolution through mediation and  
8 allow the parties time to exchange, review and analyze information necessary for meaningful  
9 settlement discussions. Furthermore, the parties agree that settlement may be facilitated by a  
10 continuance of the pre-trial deadlines. This is the first continuance of pre-trial dates the parties have  
11 requested.

Pre-Trial Event:	Parties' Requested Deadline:
Initial Expert Reports re Class Certification Issues:	December 5, 2008
Rebuttal Expert Reports re Class Certification Issues:	December 22, 2008 (defendant) January 16, 2009 (plaintiffs)
Completion of Expert Discovery re Class Certification:	January 29, 2008
Last Day to File Motion for Class Certification:	February 2, 2008
Opposition to Motion for Class Certification:	March 23, 2008
Reply in Support of Motion for Class Certification:	April 27, 2009
Hearing on Motion for Class Certification:	May 8, 2009, or other date per the Court's calendar
Close of Fact Discovery	September 25, 2009
Close of Expert Discovery	December 4, 2009
Joint Case Management Conference Statement Due	February 26, 2010

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Pre-Trial Event:	Parties' Requested Deadline:
Dispositive Motion Hearing Date	March 5, 2010, or other date per the Court's calendar
Case Management Conference	March 5, 2010, or other date per the Court's calendar

DATED: June 13, 2008.

REED SMITH LLP

By /s/ Heather B. Hoesterey  
 Jack R. Nelson  
 Tyree P. Jones, Jr.  
 Heather B. Hoesterey  
 Attorneys for Defendant World Savings Bank, FSB

DATED: June 13, 2008.

BONNETT, FAIRBOURN, FRIEDMAN &  
 BALINT, P.C.

By /s/ Wendy J. Harrison  
 Andrew S. Freidman  
 Wendy J. Harrison  
 Attorneys for Plaintiffs Leticia Zamora, Daniel  
 Perez and Elizabeth Perez

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**EXHIBIT A**

**CURRENT PRE-TRIAL DEADLINES**  
**AS SET PER FEBRUARY, 2008 CASE MANAGEMENT CONFERENCE ORDER**

<b>Pre-Trial Event:</b>	<b>Current Date:</b>
Initial Expert Reports re Class Certification Issues:	September 5, 2008
Rebuttal Expert Reports re Class Certification Issues:	September 26, 2008 (defendant) October 17, 2008 (plaintiffs)
Completion of Expert Discovery re Class Certification:	October 30, 2008
Last Day to File Motion for Class Certification:	November 3, 2008
Opposition to Motion for Class Certification:	December 22, 2008
Reply in Support of Motion for Class Certification:	January 26, 2009
Hearing on Motion for Class Certification:	February 13, 2009 at 9:00 a.m.
Close of Fact Discovery	June 26, 2009
Close of Expert Discovery	August 28, 2009
Joint Case Management Conference Statement Due	November 30, 2009
Dispositive Motion Hearing Date	December 4, 2009 at 9:00 a.m.
Case Management Conference	December 4, 2009

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**CERTIFICATE OF SERVICE**

Re: Leticia Zamora, et al. v. Wachovia Corporation and World Savings Bank  
USDC Northern California Case No. C 07-4603 JSW

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is REED SMITH LLP, Two Embarcadero Center, Suite 2000, San Francisco, CA 94111-3922. On June 13, 2008, I served the following document(s) by the method indicated below:

**JOINT CONTINUED CASE MANAGEMENT CONFERENCE STATEMENT AND  
UPDATED STATUS REPORT**

- ☐ by transmitting via facsimile on this date from fax number +1 415 391 8269 the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 PM and was reported complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting fax machine. Service by fax was made by agreement of the parties, confirmed in writing. The transmitting fax machine complies with Cal.R.Ct 2003(3).
- ☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.

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Mark Andrew Chavez  
Jonathan E. Gertler  
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*[Counsel for Plaintiffs]*

Andrew S. Friedman  
Wendy Jacobsen Harrison  
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*[Counsel for Plaintiffs]*

1 Leslie E. Hurst  
2 Theodore J. Pinter  
3 John J. Stoia, Jr.  
4 **Coughlin Stoia Geller Rudman & Robbins LLP**  
5 655 West Broadway, Ste. 1900  
6 San Diego, CA 92101  
7 *[Counsel for Plaintiffs]*

8 Gary Edward Klein  
9 **Roddy Klein & Roddy**  
10 727 Atlantic Avenue, 2<sup>nd</sup> Floor  
11 Boston, MA 02111  
12 *[Counsel for Plaintiffs]*

13 I declare under penalty of perjury under the laws of the State of California that the above is  
14 true and correct. Executed on June 13, 2008, at San Francisco, California.

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Corinne Cadon